



**CHEATHAM COUNTY PLANNING COMMISSION  
MINUTES FOR MAY 3, 2012**

Meeting was called to order at 6:00 p.m. by Chairman Mark Jarrell.

Chairman Jarrell called for the roll to be taken.

Members Present: Bobby Hackett, Chester Hannah, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan

Members Absent: John F. Werne, III

Chairman Jarrell declared a quorum present.

Others Present: Cheatham County Attorney Bill Herbert, Cheatham County Building Department Director Chris Atkins, Shelly Gupton, Linda Tilghman, Perry Tilghman, Diane Sanders, Elizabeth Heath and Shaun Heath

Chairman Jarrell acknowledged the presence of the new Planning Commission member, Mr. Bobby Hackett. Building Director Chris Atkins stated that Mr. Hackett is replacing Mr. Buddy Wright as the 4<sup>th</sup> district's representative on the Planning Commission and will be serving out the remainder of Mr. Wright's term.

**Approval of Minutes and Agenda:**

\*Ms. Trotter recommended a couple of corrections be made to the Minutes for the March 1, 2012 Planning Commission meeting; the first correction being changing the word "selling" to "sold" on the seventh line from the top on page four; the second correction being placing a comma after the word "not" on the eighth line from the bottom on page four. \*\*Motion\*\* made by Mr. Cullen to approve the Minutes for the March 1, 2012 meeting as presented and circulated, except to incorporate Ms. Trotter's corrections as stated; second by Ms. Trotter. Roll Call vote taken. Voting Yes – Bobby Hackett, Chester Hannah, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan; Voting No – None; Absent – John F. Werne, III. Motion Passed; March 1, 2012 Minutes Approved as Corrected.

\*Chairman Jarrell stated that the agenda for this meeting has been presented and circulated and asked if there were any changes. Having heard none, Chairman Jarrell asked if there was a motion to approve the agenda for this meeting. \*\*Motion\*\* made by Mr. Keenan to approve the Agenda for this Meeting as Presented and Circulated; second by Ms. Trotter. Roll Call vote taken. Voting Yes – Bobby Hackett, Chester Hannah, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan; Voting No – None; Absent – John F. Werne, III. Motion Passed; Agenda for this Meeting approved as Presented and Circulated.

Chairman Jarrell decided to move the Public Forum portion of this meeting for those issues not on tonight's approved agenda to after tonight's agenda item has been considered.

Agenda Item To Be Heard:

1. Mr. & Mrs. Heath requesting a Zone Change from C-5 to Agriculture to construct a new single-family, stick-built dwelling. Property is located on Cotton Harris Road, Joelton, TN; map 23, parcel 66.03 and consist of 5.10 acres. Property is in the 2<sup>nd</sup> voting district and is not in a flood area.

**Note: This will serve as public notice to all adjoining property owners of the above request:**

**Item (1) – Barbara Bracy, Dana Bracy, Madge Bracy, and James & Myra Chambliss**

**ITEM #1:** Building Director Atkins summarized this item. He stated that this 5.10 acres was part of a larger tract that the applicant has inherited. The applicant wishes to rezone just this 5.10 acres to Ag so that they can build a home and still do some agricultural uses. He continued by saying that there is Ag zoning beside of and across the road from this property now. He stated that this property is on the outer edge of the C-5 block of properties in this area and the utilities aren't there to utilize such C-5 uses right now. Building Director Atkins stated that Mr. Smith's comments have been handed out to the members, but he couldn't be present at the meeting today. **\*\*Motion\*\*** Motion made by Mr. Hannah to recommend approval of the Rezone from C-5 to Ag as Presented and Circulated to the County Commission for consideration; Second by Mr. Cullen; Roll Call vote taken; Voting Yes – Bobby Hackett, Chester Hannah, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan; Voting No – None; Absent – John F. Werne, III; **Motion Passed; Zone Change Recommended to the County Commission for Approval**

**Public Forum:**

Ms. Diane Sanders handed some information out to the members concerning the Compost Company, LLC site. She introduced herself, told where she lived and identified said compost site. She said that she was told that she couldn't do anything about the compost site. She said that she was told that the site would be inconspicuous and have a low impact. She said that she feels that the site is poorly maintained and she said that she was told by Mr. Wansing himself that enzymes would be used to control the odor. She said that it smells beyond his property boundaries and gives off hydrogen sulfide gas. She accused the TDEC and Cheatham County inspectors of neglecting to inspect the site because they don't live near it. She expressed concern about animals being attracted to the site. She said that her property has been affected.

Ms. Shelly Gupton spoke concerning the compost site as well. She recommended that all of the Planning Commissioners to smell it. She stated that she drives a bus for the county. She said that she smells it when she drives by. She said that she attends Bethel Free Will Baptist Church and said that three people got sick this past Sunday during church services. She said that a Mr. Forrest got up in front of the congregation and apologized for the smell. She said she is

speaking just as a member of the church and not on its behalf. She stated that people didn't want to eat outside at church due to the smell this past Sunday. She said that it turns her stomach and makes the kids on her bus sick when they pass. She said that it is bad early in the morning and late in the evening and when they turn (the windrows). She said that she didn't realize it was approved when it was approved.

Mr. Tilghman spoke. Said that he lived nearby and has a business across the road. He said that within the past few days, Scott (works with Mr. Wansing) came over to see him while working on his bushhog and asked him if he smelled it. Mr. Tilghman said that he did. He said that Scott agreed with him on the smell. He said that he has some low-income apartments that are affected by the compost site due to the proximity and the units do not have central heat and air.

Chairman Jarrell asked if this is something to be looked into. Building Director Atkins referenced the letter he handed out (attached here as well). He further stated that he has asked anyone who has contacted him to call him whenever they smell it so as to determine if a pattern is established. He continued to say that when the Compost Company's site plan was approved, there was discussion concerning the controlling of the smell. He continued by saying that if he shuts down this operation, they can appeal back to the Planning Commission. Mr. Cullen reiterated the fact that much discussion took place at site plan review concerning odors that might come from this site. Mr. Keenan commented that this letter is the first step in the process of investigating this issue. Mr. Keenan stated that he sympathized with the present public. The option of eliminating food wastes from the waste stream was discussed. Building Director Atkins stated that others beside the public present have called to complain. County Attorney Herbert stated that having heard the deliberations at the time of approval, a level of no smell was established that the Planning Commission's approval was based upon and Building Director Atkins has exclusive authority to issue a cease and desist order if necessary. (See recording for further public forum information.)

Chairman Jarrell closed the Public Forum.

Having no further business, **\*\*motion\*\*** was made to adjourn by Mr. Keenan; second by Mr. Hamiter. Voice vote carried unanimously by all present.

**JAMES ATKINS – SECRETARY  
CHEATHAM COUNTY PLANNING COMMISSION**